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Noriyuki Shimizu

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EXAMINER

EASWARAN, DAVID S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/586,354	Applicant(s) SHIMIZU, NORIYUKI	
	Examiner DAVID S. EASWARAN	Art Unit 3689	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/17/2006, 6/20/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 7/17/2006.
2. Claim 3 has been amended.
3. Claims 1 – 21 are currently pending and have been examined.

Claim Objections

4. Claim 1 recites the limitation *a reading unit operable to read the customer information concerning a customer from a recording medium*. However, the term “the customer information” lacks antecedent basis. To overcome this objection, the claim must be amended to include proper antecedent basis.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 1, 2, 4, 6, 12,13 ,17, 18 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. Claims 1 and 18 use the phrases *a manufacturing number recording unit operable to hold...* and *a manufacturing number recording step of holding...*, respectively. Does the recording unit hold information or does it record information? Likewise, does the recording step record or hold information? The limitations are indefinite because it is unclear whether the applicant intends the action involved to be “recording” or “holding.” As such, the claims are subject to at least these two plausible interpretations that would be substantially different. For the purpose of compact prosecution, the examiner will interpret the phrases to mean “a manufacturing number holding unit operable to hold...” and “a manufacturing number holding step of holding...” To overcome this rejection, applicant must amend the claim to remove any ambiguity.
8. Claim 4 states *wherein the manufacturing number recorded in said manufacturing number recording unit is a global unique number*, however no such operation actually occurs. Claim 1 merely recites a unit **operable to hold** a manufacturing number, but does not recite the step of holding such a number. For the purpose of compact prosecution, the examiner will therefore interpret this limitation to mean “wherein the manufacturing number recording unit is operable to hold a global unique number.” To overcome this rejection, applicant must amend the claim to remove any ambiguity.

9. Claim 4 uses the term *global unique number*, which has never been defined. For the purpose of compact prosecution, the examiner will interpret the term to mean simply a unique number. To overcome this rejection, applicant must amend the claim to use definite terminology.
10. Claim 6 uses the language *add and register the customer information into said customer database*, but it is unclear what the terms actually mean. It is clear how to add something to a database, but what does it mean to register information into a database if it is already being added to the database? For the purpose of compact prosecution, the examiner will interpret the phrase as meaning “add the customer information into said customer database.” To overcome this rejection, applicant must amend the claim terminology to remove ambiguity as to the meaning of “add and register.”
11. Claim 13 uses the language *operable to determine whether in the transmission record, a customer is a new one, or the combination of a customer and the home appliance device is a new one, or the home appliance device is a new one*, but the phrase “whether...is a new one” is not clear and potentially subject to multiple interpretations; what is a “new one?” For the purpose of compact prosecution, the examiner will interpret the phrase to mean “operable to determine whether in the transmission record, a customer is a new customer, the combination of a customer and the home appliance device is a new combination, or the home appliance device is a new device.” To overcome this rejection, applicant must amend the claim terminology to clarify its proper intent.

Claim Rejections - 35 USC § 101

12. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

13. Claims 14, 15, 16 and 17 are rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter.

A “program...causing a computer to execute...” as recited here does not fall within a statutory category because it refers to computer software in the abstract. Without tangible embodiment on a medium, the software is simply a set of information that can hardly be called a method and certainly can not be called a machine, manufacture or composition of matter. To overcome this rejection, applicant must amend the claims to claim only matter falling within a proper statutory category of invention.

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14. Claims 18, 19, 20 and 21 are rejected under 35 U.S.C. 101. Based on Supreme Court precedent and recent Federal Circuit decisions, the Office's guidance to an examiner is that a § 101 process must (1) be tied to a particular machine or apparatus or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

To qualify as a § 101 statutory process, the claim should recite the particular machine or apparatus to which it is tied, for example by identifying the machine or apparatus that accomplishes the method steps, or positively reciting the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

There are two corollaries to the machine-or-transformation test. First, a mere field-of-use limitation is generally insufficient to render an otherwise ineligible method claim patent-eligible. This means the machine or transformation must impose meaningful limits on the method claim's scope to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means reciting a specific machine or a particular transformation of a specific article in an insignificant step, such as data gathering or outputting, is not sufficient to pass the test.

Here, applicant's method steps fail the first prong of the new test because the only tie is directed to insignificant extra-solution activities. Claim 18 recites a reading step, a recording step, a preparing step, and a transmitting step. The reading, recording and transmitting steps involve machines, but as noted above, data transfer and storing is mere extra-solution activity. The preparing step does not, however, have a tie to a particular machine. Similarly, claim 19 adds a determining step, but it also is not tied to a machine. Claim 20 mentions a device, but only insofar as it changes the "state" of the device, and therefore this tie is insignificant. Finally, claim 21 recites a receiving step, a reading step and an analysis step. The receiving step is tied to the appliance device, but this constitutes mere insignificant extra-solution activity, as it regards only data transfer. The reading and analysis steps do not contain a tie to a machine. As such, these claims fail the first prong of the new test.

Further, applicant's method steps fail the second prong of the test because no underlying subject matter has been transformed. Claim 20 includes a status-changing step, but this status change does not rise to the level of an actual transformation (consider that the status change could be turning the appliance on when it previously was off).

The claims are therefore non-statutory because they lack a meaningful tie to a particular machine and do not transform any underlying article into a different state or thing.

Art Rejections

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1, 2, 4, 9, 12, 17 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasajima (EP 1160705, hereinafter Kasajima).

Claim 1:

Kasajima discloses the following:

A customer management system comprising a home appliance device connectable to a network and a management apparatus operable to manage information concerning a customer, said home appliance device and said management apparatus being connected to each other via the network,

- *wherein said home appliance device includes:*

- *a reading unit operable to read the customer information concerning a customer from a recording medium (See at least Kasajima paragraph 0049, stating that “the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment,” showing that the home device can read information regarding the customer's appliances.);*
- *a manufacturing number recording unit operable to hold a manufacturing number provided at a time of manufacturing of said home appliance device (See Kasajima paragraph 0049, showing that information is saved up and transmitted to the center management server periodically. Kasajima need not disclose that the home device stores a manufacturing number, but merely that the device is **operable to hold** such a number. As shown in this passage, Kasajima discloses the ability to store information and therefore is operable to store a manufacturing number, which is merely a type of information. Further see Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function,*

and present condition," which suggests the ability to store a wide range of information, including numbers.);

- *a transmission record preparing unit operable to prepare a transmission record that describes at least one of function information assigned on the basis of a usage form of said home appliance device, the customer information, and the manufacturing number* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can prepare a transmission that will describe customer information.); *and*
- *a transmitting unit operable to transmit the transmission record to said management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.),
- *and wherein said management apparatus includes:*
 - *a receiving unit operable to receive the transmission record* (See at least Kasajima column 3 lines 24 – 28, showing that

the center management server receives information from the dwelling management server.);

- *a transmission record reading unit operable to read information described in the transmission record (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.); and*
- *an analysis unit operable to analyze the read information (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).*

Claim 2:

The rejection of claim 1 above is incorporated herein. Kasajima further discloses that *said analysis unit is operable to analyze a usage status of the function information used in each said home appliance device (See at least Kasajima column 3, lines 28 – 32, showing the center management server analyzing the actual usage information.).*

Claim 4:

The rejection of claim 1 above is incorporated herein. Kasajima further discloses that *the manufacturing number recorded in said manufacturing*

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number recording unit is a global unique number (See Kasajima paragraph 0049, showing that information is saved up and transmitted to the center management server periodically. Kasajima need not disclose that the home device stores a global unique number, but merely that the device is **operable to hold** such a number. As shown in this passage, Kasajima discloses the ability to store information and therefore is operable to store a global unique number, which is merely a type of information. Further see Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and present condition," which suggests the ability to store a wide range of information, including numbers.).

Claim 9:

Kasajima discloses the following:

- *a reading unit operable to read the customer information from a recording medium* (See at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment," showing that the home device can read information regarding the customer's appliances.);

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- *a manufacturing number recording unit operable to hold a manufacturing number provided at a time of manufacturing of said home appliance device* (See Kasajima paragraph 0049, showing that information is saved up and transmitted to the center management server periodically. Kasajima need not disclose that the home device stores a manufacturing number, but merely that the device is **operable to hold** such a number. As shown in this passage, Kasajima discloses the ability to store information and therefore is operable to store a manufacturing number, which is merely a type of information. Further see Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and present condition," which suggests the ability to store a wide range of information, including numbers.);
- *a transmission record preparing unit operable to prepare a transmission record that describes at least one of function information assigned on the basis of a usage form of said home appliance device, the customer information, and the manufacturing number* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living

individual information is automatically sent to the specific service server 6.” This passage shows that the home device can prepare a transmission that will describe customer information.); *and*

- *a transmitting unit operable to transmit the transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.).

Claim 12:

Kasajima discloses the following:

A management apparatus that is connected to a home appliance device connectable to a network and that is provided on a manufacturer side and operable to manage information concerning a customer, said apparatus comprising:

- *a receiving unit operable to receive a transmission record transmitted from the home appliance device* (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives information from the dwelling management server.);
- *a transmission record reading unit operable to read information described in the transmission record* (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the

information, it must, of course, be able to read the information.);
and

- *an analysis unit operable to analyze a usage status of function information used in each home appliance device, on the basis of the information read by said transmission record reading unit (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).*

Claim 17:

Kasajima discloses the following:

- *a receiving step of receiving a transmission record transmitted from the home appliance device (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives information from the dwelling management server.);*
- *a transmission record reading step of reading information described in the transmission record (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.); and*
- *an analysis step of analyzing a usage status of function information used in each home appliance device, on the basis of the information read at said transmission record reading step (See at*

least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).

Claim 21:

Kasajima discloses the following:

- *a receiving step of receiving a transmission record transmitted from the home appliance device (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives information from the dwelling management server.);*
- *a transmission record reading step of reading information described in the transmission record (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.); and*
- *an analysis step of analyzing a usage status of function information used in each home appliance device, on the basis of the information read at said transmission record reading step (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).*

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
18. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
19. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kasajima in view of Matsumoto (US 6,199,755, hereinafter Matsumoto).

Claim 3:

The rejection of claim 1 above is incorporated herein. Kasajima does not specifically disclose that *the recording medium is an IC card, so that said home appliance device acquires information recorded in the IC card from another home appliance device which exists in the same home via a home*

network, and automatically transmits the obtained information to said management apparatus.

However, Matsumoto discloses a system in which the recording medium is an IC card, so that a device acquires information recorded in the IC card from another device and is sent through the Internet to a managing server (See at least Matsumoto column 7, lines 4 – 11). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the IC card technology of Matsumoto with the appliance/server system because "the need for the user to send the failing household electrical appliance to the manufacturer's service center is eliminated, thus significantly saving the efforts and time required to estimate the repair charges and the required repair time" (Matsumoto column 7, lines 7 – 11).

20. Claims 5, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasajima.

Claim 5:

The rejection of claim 1 above is incorporated herein. Kasajima further discloses the following:

- *a customer database operable to hold the customer information recorded in the transmission record having been received (See at*

least Kasajima paragraph 0086, stating that “[t]he service server 6 has a user management data base 2a in which location information on contracted dwelling house such as address, telephone number, and so on is stored.”);

- *a merchandise database operable to hold the merchandise information recorded in the transmission record having been received* (See at least Kasajima paragraph 0128, stating that “[t]he center management server 8 accumulates the received usage record data D in the user data base 2b.”);
- *an analysis information database operable to hold an analysis result in said analysis unit* (See at least Kasajima column 3, lines 28 – 31, stating that “the center management server...stores the analysis results in the use actual result data base.”) *and*

Kasajima does not specifically disclose *a record updating unit operable to update the record of the information recorded in said customer database, said merchandise database, and said analysis information database, after the receiving of the transmission record*. However, Kasajima does show that the customer information is updated when it is received (See Kasajima paragraphs 0121 and 0122, showing that customer information is entered into the database upon its receipt and the customer is registered). Further, Kasajima shows that the merchandise database is updated routinely (Kasajima paragraph 0128 states that the merchandise

information is “accumulated,” indicating that it is likely updated upon its receipt, but is certainly updated at some point.). Further, Kasajima does show that the analysis result database is updated upon the performance of an analysis (See at least Kasajima column 3, lines 28 – 31, stating that “the center management server...stores the analysis results in the use actual result data base.”).

Therefore, while Kasajima does not specifically disclose a record updating unit operable to perform all three of these functions, Kasajima does contemplate that these three functions are performed. As such, it would have been obvious for one of ordinary skill in the art at the time of the invention to include a record updating unit operable to update the various databases because having a single unit to perform similar tasks would reduce the overall complexity of the system.

Claims 14 and 18:

Kasajima discloses the following:

- *a reading step of reading the customer information concerning a customer from a recording medium* (See at least Kasajima paragraph 0049, stating that “the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment,” showing that the home device reads information regarding the customer's appliances.);

- *a transmission record preparing step of preparing a transmission record that describes at least one of function information assigned on the basis of a usage form of the home appliance device, the customer information, and the manufacturing number* (See at least Kasajima paragraph 0049, stating that “[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6.” This passage shows that the home device prepares a transmission that will describe customer information.); *and*
- *a transmission step of transmitting the transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server sends the information to a center management server.).

Kasajima does not specifically disclose *a manufacturing number recording step of holding a manufacturing number provided at a time of manufacturing of the home appliance device.*

However, see at least Kasajima paragraph 0049, stating that “the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment,” which shows that the home device takes in information regarding the appliances. It is

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likely the case that Kasajima intended for this information to include manufacturing numbers. Nonetheless this is not an inherent property of the method.

Regardless, it would have been obvious for one of ordinary skill in the art at the time of the invention to hold the manufacturing number of the appliance because the manufacturing number is a unique value that can be easily used to track an appliance and therefore would be a valuable piece of information to provide to the networked managing server.

21. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasajima in view of Official Notice.

Claim 6:

The rejection of claim 5 above is incorporated herein. Kasajima discloses *a record updating unit is operable to add and register the customer information into said customer database in the case of being determined as a new one by said determination unit* (See at least Kasajima paragraph 0122).

Kasajima does not specifically disclose *a determination unit operable to determine whether the customer information included in the transmission record is a new one.*

However, the Examiner takes **Official Notice** that it is old and well known in the art for a database to be searchable for duplicate information. Searching databases is, indeed, a primary purpose of databases, generally. For example, web directories such as Yahoo! have employed database searching since the 1990s, listing only results that match searched information. A determination unit to determine whether customer information is new would simply search the user database for the customer information and, if found, state that the customer is not new, and if not found, that the customer is new. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to include a determination unit operable to determine whether the customer information is new because it would prevent the inclusion of multiple registration profiles for the same user of the system.

Claim 13:

The rejection of claim 12 above is incorporated herein. Kasajima does not specifically disclose that *said management apparatus further comprises a first-time determination unit operable to determine whether in the transmission record, a customer is a new one, or the combination of a customer and the home appliance device is a new one, or the home appliance device is a new one.*

However, the Examiner takes **Official Notice** that it is old and well known in the art for a database to be searchable for duplicate information. Searching databases is, indeed, a primary purpose of databases, generally. For example, web directories such as Yahoo! have employed database searching since the 1990s, listing only results that match searched information. A determination unit to determine whether customer information is new can simply search the user database for the customer information and, if found, state that the customer is not new, and if not found, that the customer is new. A similar tack can be taken with the combination of a customer and an appliance or just with an appliance standing alone. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to include a determination unit operable to determine whether the customer information is new, the combination of a customer and an appliance is new, or the appliance alone is new because it would prevent the inclusion of multiple registration profiles for the same user of the system.

22. Claims 7, 8, 10, 11, 15, 16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasajima in view of Rydbeck (6,163,693, hereinafter Rydbeck).

Claim 7:

The rejection of claim 1 above is incorporated herein. Kasajima further discloses the following:

- *said transmission record preparing unit is further operable to prepare a first-time transmission record that includes at least the customer information and the manufacturing number, when the read of the customer information by said reading unit is determined as being the first time by said first-time determination unit (See at least Kasajima paragraph 0049, stating that “[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6.” This passage shows that the home device is operable to prepare a transmission that will include customer and appliance information.), and*
- *said transmitting unit is operable to transmit the first-time transmission record to said management apparatus (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.).*

Kasajima does not specifically disclose *a first-time determination unit operable to determine whether the customer information has been read by said reading unit, at a time of first-time usage.*

However, Rydbeck does show such a feature (See at least Rydbeck abstract, stating that "[a]fter being powered-on, the wireless communications device checks a non-volatile warranty registration status-flag. "f that flag indicates that the wireless communications device has not previously registered, the wireless communications [registers the product]." Because the check is performed when the device is powered on, it therefore is done "at a time of first-time usage."). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

Claim 8:

The rejection of claim 7 above is incorporated herein. Kasajima does not specifically disclose that *said home appliance device further includes a device control unit operable to bring said home appliance device into a usage permitted state after the first-time transmission record is transmitted by said transmitting unit.*

However, Rydbeck discloses such a feature (See at least Rydbeck abstract, stating "If that flag indicates that the wireless communications device has not previously registered, the wireless communications device sends a unique identifier, such as a serial number, to a warranty

registration center...The wireless communications device then changes the warranty registration status flag to indicate that the device has been registered for warranty purposes. Once this automated warranty registration is complete, the wireless communication device proceeds with normal operation.”). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

Claim 10:

The home appliance device according to claim 9, wherein said home appliance device further comprises

- *said transmission record preparing unit is further operable to prepare a first-time transmission record that includes at least the customer information and the manufacturing number, when the read of the customer information by said reading unit is determined as being the first time by said first-time determination unit (See at least Kasajima paragraph 0049, stating that “[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is*

automatically sent to the specific service server 6." This passage shows that the home device is operable to prepare a transmission that will include customer and appliance information.), and

- *said transmitting unit is operable to transmit the first-time transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.).

Kasajima does not specifically disclose *a first-time determination unit operable to determine whether the customer information has been read by said reading unit, at a time of first-time usage.*

However, Rydbeck does show such a feature (See at least Rydbeck abstract, stating that "[a]fter being powered-on, the wireless communications device checks a non-volatile warranty registration status-flag. "f that flag indicates that the wireless communications device has not previously registered, the wireless communications [registers the product]." Because the check is performed when the device is powered on, it therefore is done "at a time of first-time usage."). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

Claim 11:

The rejection of claim 10 above is incorporated herein. Kasajima does not specifically disclose that *said home appliance device further comprises a device control unit operable to bring said home appliance device into a usage permitted state after the first-time transmission record is transmitted by said transmitting unit.*

However, Rydbeck discloses such a feature (See at least Rydbeck abstract, stating “If that flag indicates that the wireless communications device has not previously registered, the wireless communications device sends a unique identifier, such as a serial number, to a warranty registration center...The wireless communications device then changes the warranty registration status flag to indicate that the device has been registered for warranty purposes. Once this automated warranty registration is complete, the wireless communication device proceeds with normal operation.”). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

Claims 15 and 19:

The rejection of claim 14 above is incorporated herein. Kasajima discloses that *the first-time transmission record is transmitted to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server sends the information to a center management server.).

Kasajima does not specifically disclose the following:

- *a first-time determination step of determining whether the customer information has been read at said reading step, at a time of first-time usage.*
- *wherein at said transmission record preparing step, a first-time transmission record that includes at least the customer information and the manufacturing number is prepared when the read of the customer information at said reading step is determined as being the first time at said first-time determination step, and*

However, Rydbeck does show such a first time determination step (See at least Rydbeck abstract, stating that "[a]fter being powered-on, the wireless communications device checks a non-volatile warranty registration status-flag. "f that flag indicates that the wireless communications device has not previously registered, the wireless communications [registers the product]." Because the check is performed when the device is powered on, it therefore is done "at a time of first-time usage.""). It would have been obvious for one of ordinary skill in the art at the time of the invention to

combine the determination step of Rydbeck with the device/server network of Kasajima because it would ensure prompt registration of every product with the management server, thereby maximizing the functionality of the network.

Further, Kasajima does disclose the preparation of a transmission record that includes customer information and some appliance information (See at least Kasajima paragraph 0121, stating that “profile such as name, age, sexuality, family structure of the user and kind of objected network-adapted appliance are input as user individual information.” In paragraph 0122, Kasajima further uses that information to finish the registration process.). Although Kasajima does not specifically disclose that the manufacturing number is included in this transmission record, it would have been obvious for one of ordinary skill in the art at the time of the invention to also include a manufacturing number because it would enable a much more accurate description of the relevant appliance.

Claims 16 and 20:

The rejection of claim 15 above is incorporated herein. Kasajima does not specifically disclose *bringing the home appliance device into a usage permitted state after the first-time transmission record is transmitted at said transmitting step.*

However, Rydbeck discloses such a feature (See at least Rydbeck abstract, stating “If that flag indicates that the wireless communications device has not previously registered, the wireless communications device sends a unique identifier, such as a serial number, to a warranty registration center...The wireless communications device then changes the warranty registration status flag to indicate that the device has been registered for warranty purposes. Once this automated warranty registration is complete, the wireless communication device proceeds with normal operation.”). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the flag-changing step of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

Art Unit: 3689

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **David Easwaran** whose telephone number is **571-270-5480**. The Examiner can normally be reached on Monday-Friday, 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JANICE A. MOONEYHAM**, can be reached at **571-272-6805**.

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